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BEFORE THE

**Federal Communications Commission**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

WASHINGTON, D. C. 20554

In the Matter of )  
 )  
Amendment of Section 73.202(b), ) RM-\_\_\_\_\_  
Table of Allotments, )  
FM Broadcast Stations )  
(Bethany Beach, Delaware) )  
  
To: Chief, Allocations Branch

**PETITION FOR RULEMAKING**

Roger A. Akin, Esquire, and Banking Services Corp, who, as Co-Receivers of KAT Broadcasting Corporation, jointly are the licensee of Station WWTR-FM, Bethany Beach, Delaware, hereby request that the Commission institute a rulemaking proceeding for the purpose of amendment Section 73.202(b) of the Commission's Rules as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Bethany Beach, Delaware	240A, 278A	240B1, 278A

Further, the Co-Receivers request that the Commission modify the license of Station WWTR-FM to specify operation on Channel 240B1.

As shown in the attached engineering statement, using the reference point of NL 38°, 32', 24"; WL 75°, 03', 23", Channel 240B1 may be allotted in compliance with all spacing requirements.

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2.

Adoption of this proposal is in the public interest in that it will greatly improve the coverage of Station WWTR-FM. The Co-Receivers state that upon adoption of the proposed change (assuming, of course, the Co-Receivers are still the licensee of the station at the time), they expeditiously will apply for modification of WWTR-FM's facilities and upon grant promptly will build the new Class B1 facility.

WHEREFORE, It is requested that the Commission institute a rulemaking proceeding for the purpose of amending the Table of Allotments as described above to permit operation of Station WWTR-FM, Bethany Beach, Delaware, on Channel 240 B1.

ROGER A. AKIN, ESQUIRE AND BANKING  
SERVICES CORP, CO-RECEIVERS OF KAT  
BROADCASTING CORPORATION

By 

Matthew H. McCormick

Its Counsel

Reddy, Begley & Martin  
1001 22nd Street, N.W.  
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Washington, D.C. 20037

December 24, 1992

ENGINEERING REPORT

AN FM CHANNEL UPGRADE

At Bethany Beach, Delaware

On Behalf of

WWTR-FM

December, 1992

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E. HAROLD MUNN, JR. & ASSOCIATES, INC.

Broadcast Engineering Consultants

Coldwater, MI 49036

## ENGINEERING STATEMENT

### In Support of a Petition To Amend §73.202(b)

The firm of E. Harold Munn, Jr. & Associates, Inc., was retained to prepare this Engineering Statement in support of a petition to amend 47 C.F.R. Section 73.202(b), the FM Table of Allotments.

It is proposed to amend the Table to substitute Channel 240B1 for Channel 240A at Bethany Beach, Delaware, and modify the license of FM Broadcast Station WWTR-FM accordingly.

Data contained in this report is responsive to the requirements of the Rules, as amended.

Figure 1 is a pertinent portion of the computer study which demonstrates that, at the reference point listed, and for the class of station proposed, all the required separations are fully met.

The reference point considered for the study is NL 38°32'24"; WL 75°03'23". This reference point is a point proximate to the city from which the 3.16 mV/m (70 dBu) contour of the proposed facility would encompass the entire community.


A substantial "open area" exists, within which the transmitter and antenna may be located, meeting all spacing requirements.

## CERTIFICATION

This Engineering Statement was prepared by the undersigned, a member of the staff of E. Harold Munn, Jr. & Associates, Inc., Broadcast Engineering Consultants, with offices at 100 Airport Drive, Coldwater, Michigan 49036-0220.

I hereby certify the contents of this Engineering Statement to be true and accurate to the best of my knowledge and belief. My qualifications are a matter of record before the Federal Communications Commission.

Dated this 22nd day of December, 1992

by   
Virgil M. Royer  
Staff Engineer

E. HAROLD MUNN, JR. & ASSOCIATES, INC.  
Broadcast Engineering Consultants  
Coldwater, MI 49036

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P.O. BOX 220 COLDWATER MI 49036-0220

WWTR-FM Bethany Beach, DE  
Class Upgrade Rulemaking

REFERENCE		CLASS B1	DISPLAY DATES
38 32 24 N			DATA 11-25-92
75 03 23 W		Current rules spacings	SEARCH 12-22-92
----- CHANNEL 240 - 95.9 MHz -----			

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WWTRFM	240A	Bethany Beach	DE	246.5	10.67	143.0	-132.33 *
LI CN	38 30 06	75 10 07	3.000 kW	91M	6.6	88.9	
		Roger A. Akin & Banking Servi			BLH7392		
WWTRFM	240A	Bethany Beach	DE	246.5	10.67	143.0	-132.33 *
CP CN	38 30 06	75 10 07	6.000 kW	100M	6.6	88.9	
		Roger A. Akin & Banking Servi			BPH910305IC		
WDNO	237A	Laurel	DE	265.6	52.87	48.0	4.87
LI CN	38 30 12	75 39 39	6.000 kW	100M	32.9	29.8	
		Dennis N. O'Neal			BLH910930KF		
AD243	243A	Snow Hill	MD	209.5	55.06	48.0	7.06
AD	38 06 30	75 22 00	0.000 kW	OM	34.2	29.8	
		Snow Hill Community Broadcast					
WWINFM	240A	Glen Burnie	MD	299.3	150.54	143.0	7.54
LI CN	39 12 16	76 34 07	3.000 kW	91M	93.6	88.9	
		Radio One of Maryland, Inc.			BMLH920325KC		
WTTH	241A	Margate City	NJ	30.4	104.27	96.0	8.27
LI ZCN	39 21 02	74 26 55	2.300 kW	113M	64.8	59.7	
		Margate Communications Ltd. P			BLH911204KD		
WMYA	241B	Cape Charles	VA	210.7	164.83	145.0	19.83
LI CN	37 15 47	76 00 47	50.000 kW	147M	102.4	90.1	
		WKSV, Inc.			BLH860805KA		
WFLNFM	239B	Philadelphia	PA	354.7	169.39	145.0	24.39
LI CN	40 03 33	75 14 20	50.000 kW	153M	105.3	90.1	
		Franklin Broadcasting Company			BLH3813		